



UNITED STATES PATENT AND TRADEMARK OFFICE

A
UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/219,071	12/22/1998	RICHARD E. HEADLEY		2289
7590	08/11/2005		EXAMINER	
RICHARD F. JAWORSKI COOPER & DUNHAM LLP 1185 AVENUE OF THE AMERICAS NEW YORK, NY 10036			ENGLAND, DAVID E	
		ART UNIT	PAPER NUMBER	2143

DATE MAILED: 08/11/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.	HEADLEY ET AL.
09/219,071	
Examiner David E. England	Art Unit 2143

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) Responsive to communication(s) filed on 25 March 2005.

2a) This action is FINAL. 2b) This action is non-final.

3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) Claim(s) 1-50 is/are pending in the application.
 4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) Claim(s) _____ is/are allowed.

6) Claim(s) 1-50 is/are rejected.

7) Claim(s) _____ is/are objected to.

8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) The specification is objected to by the Examiner.

10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) Notice of References Cited (PTO-892)
2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
 Paper No(s)/Mail Date _____

4) Interview Summary (PTO-413)
 Paper No(s)/Mail Date. _____

5) Notice of Informal Patent Application (PTO-152)
6) Other: _____

DETAILED ACTION

1. Claims 1 – 50 are presented for examination.

Claim Objections

2. Claim 8 is objected to because of the following informalities: There appears to be a typographical or printer error in the beginning of the claim. The first line of the claim, “8. (Original) The job scheduling device according to Claim 7, wherein:,” is stated twice. Appropriate correction is required.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1 – 7, 12, 13, 17, 24 – 27, 29, 31, 40 and 44 – 50 are rejected under 35 U.S.C. 103(a) as being unpatentable over Barroux (6182110) in view of Cotichini et al. (6300863) (hereinafter Cotichini).

Art Unit: 2143

5. Referencing claim 1, as closely interpreted by the Examiner, Barroux teaches a job scheduling device for scheduling jobs to run on at least one node of at least one computing platform, comprising:
 6. an enterprise scheduling agent installed on a node and configured to launch execution of jobs submitted to the enterprise scheduling agent, (e.g. col. 1, line 59 – col. 2, line 9 & col. 4, lines 15 – 27, “*integrated resource 200 queries this database and computes a schedule of tasks to be executed*”);
 7. a presentation system configured to accept and validate parameters identifying at least one job to be submitted for execution on at least one of said nodes, (e.g. col. 5, lines 28 – 44, “*...one scheduling information parameter may correspond to surveying a particular subnet using SNMP probe system ...* ”); and
 8. a job scheduler configured to allocate at least one job based on said parameters to at least one enterprise scheduling agent and to submit the allocated jobs to said at least one enterprise scheduling agent, (e.g. col. 1, line 59 – col. 2, line 9), but does not specifically teach an agent installed on each node. Cotichini teaches an agent installed on each node, (e.g. col. 6, lines 22 – 30). It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine Cotichini with Barroux because utilizing independent agents on each node gives the system the efficiency to schedule different tasks for their specific node as opposed to having one agent scheduling all tasks in a network which would cause latency in a system and cause bottlenecking.

9. Referencing claim 2, as closely interpreted by the Examiner, Barroux teaches a job data management device configured to maintain job data and job histories of jobs submitted to each enterprise scheduling agent, (e.g. col. 9, lines 13 – 23 & col. 11, lines 16 – 48).

10. Referencing claim 3, as closely interpreted by the Examiner, Barroux teaches said job histories include information received from each enterprise scheduling agent regarding status of the jobs submitted, (e.g. col. 11, lines 16 – 48).

11. Referencing claim 4, as closely interpreted by the Examiner, Barroux teaches said job data management device is utilized by said job scheduler to set parameters in jobs to be submitted to each enterprise scheduling agent, (e.g. col. 1, line 59 – col. 2, line 9 & col. 4, line 66 – col. 5, line 44).

12. Referencing claim 5, as closely interpreted by the Examiner, Barroux teaches a job history repository that saves both jobs and job histories of jobs submitted to each enterprise scheduling agent, (e.g. col. 9, lines 5 - 40);

13. wherein each enterprise scheduling agent comprises,

14. an agent communicator configured to send and receive messages between said job scheduler and the enterprise scheduling agent, (e.g. col. 3, line 60 – col. 4, line 36),

Art Unit: 2143

15. a job manager configured to setup, launch, run, and manage jobs submitted to the enterprise scheduling agent, a data manager configured to update and delete data from said job history repository, (e.g. col. 7, line 61 – col. 8, line 10), and
16. a low level API configured to handle internal functions of said enterprise scheduling agent (LES Agent), file management, and message handling functions, (e.g. col. 3, line 43 – col. 4, line 15).
17. Referencing claim 6, as closely interpreted by the Examiner, Barroux teaches an enterprise communicator configured to construct and communicate messages between said job scheduler and each enterprise scheduling agent, (e.g. col. 18, line 40 – col. 19, line 3); and
18. a job data management device configured to maintain job histories of jobs submitted to each enterprise scheduling agent, (e.g. col. 3, line 60 – col. 4, line 36);
19. wherein said data manager updates said job history via enterprise communicator messages sent from each enterprise scheduling agent to said job data management device, (e.g. col. 11, lines 16 – 38).
20. Referencing claim 7, as closely interpreted by the Examiner, Barroux teaches a command line device configured to accept commands regarding administration of jobs submitted to each enterprise scheduling agent, (e.g. col. 15, line 57 – col. 16, line 67); and
21. a job administration device configured to communicate said command line to at least one of said enterprise scheduling agents for execution, (e.g. col. 15, line 57 – col. 16, line 67).

Art Unit: 2143

22. Referencing claim 12, as closely interpreted by the Examiner, Barroux teaches an enterprise communicator configured to send messages between said job scheduler and each of said enterprise scheduling agents, (e.g. col. 13, line 61 – col. 14, line 55).

23. Referencing claim 13, as closely interpreted by the Examiner, Barroux teaches each enterprise scheduling agent is registered at a specific node address that identifies each enterprise scheduling agent with a unique datagroup, (e.g. col. 15, line 42 – col. 16, line 13); and

24. said enterprise communicator encodes each message with at least one destination corresponding to a datagroup to direct each message to at least one enterprise scheduling agent, (e.g. col. 15, line 42 – col. 16, line 13).

25. Referencing claim 17, as closely interpreted by the Examiner, Barroux teaches an auto login device configured to accept login parameters from a user submitting a job, (e.g. col. 15, line 57 – col. 16, line 14);

26. wherein said login parameters are utilized by each enterprise scheduling agent to launch and execute the job submitted, (e.g. col. 15, line 57 – col. 16, line 14).

27. Referencing claim 19, as closely interpreted by the Examiner, Barroux teaches said presentation system includes,

28. a GUI interface that accepts user inputs for scheduling and specifying a job to be submitted, (e.g. col. 15, line 57 – col. 16, line 13& Figs. 6A – 6D);

Art Unit: 2143

29. wherein said GUI interface includes facilities for selection and creation of a scheduling calendar, selection of a start date and time, selection of recurring job run intervals, and selection of an immediate job run, (e.g. col. 15, line 57 – col. 16, line 13 & Figs. 6A – 6D).

30. Referencing claim 24, as closely interpreted by the Examiner, Barroux teaches said presentation system includes, a strategy scheduling window configured to allow a user to view, create, modify, and delete schedules for a strategy, (e.g. col. 7, lines 4 – 9).

31. Referencing claim 25, as closely interpreted by the Examiner, Barroux teaches a method of scheduling jobs across multiple networked computing platforms, comprising:

32. determining at least one job based on job parameters for at least one job to be scheduled, (e.g. col. 3, line 60 – col. 4, line 14);

33. sending said at least one job to at least one enterprise scheduling agent maintained on a selected node of said computer platforms, (e.g. col. 5, lines 11 – 27); and

34. executing each job on the selected node under management of said enterprise scheduling agent, (e.g. col. 3, line 42 – col. 4, line 30 & col. 7, lines 4 – 9), but does not specifically teach agent maintained on a selected nodes of said computer platforms. Cotichini teaches agent maintained on a selected nodes of said computer platforms, (e.g. col. 6, lines 22 – 30). It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine Cotichini with Barroux because of similar reasons stated above.

Art Unit: 2143

35. Referencing claim 26, as closely interpreted by the Examiner, Barroux teaches monitoring progress of each job executing on the selected node, (e.g. col. 19, lines 45 - 67); and

36. displaying said progress on a progress monitor, (e.g. col. 8, lines 50 – 56).

37. Referencing claim 27, as closely interpreted by the Examiner, Barroux teaches recording each job and a history of each job in a job history repository, (e.g. col. 11, lines 16 – 38 & col. 18, line 57 – col. 19, line 3).

38. Referencing claim 31, as closely interpreted by the Examiner, Barroux teaches retrieving said job parameters from one of a product and a user interface that collects said job parameters, (e.g. col. 4, lines 37 – 64);

39. validating said job parameters, (e.g. col. 4, lines 37 – 64); and

40. allocating a job based on said job parameters, (e.g. col. 5, lines 28 – 44).

41. Referencing claim 40, as closely interpreted by the Examiner, Barroux teaches accepting a scheduling calendar identifying at least one of an execution time and an interval for at least one of said jobs, (e.g. col. 4, lines 15 – 27); and

42. executing said jobs on selected nodes at the time and interval identified in the calendar, (e.g. col. 4, lines 15 – 27).

43. Claims 44 – 50 are rejected for similar reasons as stated above.

Art Unit: 2143

44. Claims 8, 9, 14, 15, 18, 20, 21, 28 – 30 and 32 – 35 are rejected under 35 U.S.C. 103(a) as being unpatentable over Barroux and Cotichini as applied to claims 1 & 25, and in further view of Williams et al. (5781908) (hereinafter Williams).

45. As per claim 8, as closely interpreted by the Examiner, Barroux and Cotichini do not specifically teach said commands accepted by said command line device include at least one of delete a job and all runs of the job, cancel a job's run, list all jobs, list all jobs by at least one of product code, status, and node, and rerun a job immediately. Williams teaches said commands accepted by said command line device include at least one of delete a job and all runs of the job, cancel a job's run, list all jobs, list all jobs by at least one of product code, status, and node, and rerun a job immediately, (e.g. col.6 line 59 – col. 8, line 36). It would have been obvious to one skilled in the art at the time the invention was made to combine Williams with the combine system of Barroux and Cotichini because it would be more convenient for a system to utilize editing functions of jobs so a user can interact with how a job can be processed or to delete a process that is no longer needed.

46. As per claim 9, as closely interpreted by the Examiner, Barroux and Cotichini do not specifically teach said commands accepted by said command line device include context variables; and

47. each enterprise scheduling agent converts said context variables according to a current job and job parameters, and executes said commands. Williams teaches said commands accepted by said command line device include context variables, (e.g. col.6 line 59 – col. 8, line 36); and

Art Unit: 2143

48. each enterprise scheduling agent converts said context variables according to a current job and job parameters, and executes said commands, (e.g. col. 6 line 59 – col. 8, line 36). It would have been obvious to one skilled in the art at the time the invention was made to combine Williams with the combine system of Barroux and Cotichini because of similar reasons stated above.

49. As per claim 14, as closely interpreted by the Examiner, Barroux and Cotichini do not specifically teach a local job repository installed on each of said nodes;

50. wherein:

51. each local job repository maintains job and job history information on each job submitted to the node where the local job repository is installed;

52. each local job repository is updated by the enterprise scheduling agent installed on the node where the local job repository is installed; and

53. said job information includes job parameters needed to execute each job. Williams teaches a local job repository installed on each of said nodes, (e.g. col. 7, line 63 – col. 8, line 43);

54. wherein:

55. each local job repository maintains job and job history information on each job submitted to the node where the local job repository is installed, (e.g. col. 7, line 63 – col. 8, line 25);

56. each local job repository is updated by the enterprise scheduling agent installed on the node where the local job repository is installed, (e.g. col. 7, line 63 – col. 8, line 25); and

Art Unit: 2143

57. said job information includes job parameters needed to execute each job, (e.g. col. 8, lines 26 – 43). It would have been obvious to one skilled in the art at the time the invention was made to combine Williams with the combine system of Barroux and Cotichini because it would be more efficient for a system to keep records of jobs that have been completed so a user can view or a system can read the history to find any errors, making error detection easier.

58. As per claim 15, as closely interpreted by the Examiner, Barroux and Cotichini do not specifically teach a job data management device configured to maintain job histories of jobs submitted to each enterprise scheduling agent; and

59. a synchronizing device configured to synchronize each local job repository with the job histories maintained by said job data management device. Williams teaches a job data management device configured to maintain job histories of jobs submitted to each enterprise scheduling agent, (e.g. col. 7, line 63 – col. 8, line 25); and

60. a synchronizing device configured to synchronize each local job repository with the job histories maintained by said job data management device, (e.g. col. 8, lines 26 – 43). It would have been obvious to one skilled in the art at the time the invention was made to combine Williams with the combine system of Barroux and Cotichini because it would be more efficient of a system to update the history of jobs so if job information becomes obsolete a user can update the job information and use the new data that would be more substantial to the user rather than out dated job information.

Art Unit: 2143

61. As per claim 18, as closely interpreted by the Examiner, Barroux and Cotichini do not specifically teach a notification scripting device configured to execute a notification script having instructions for notifying a user of status of a submitted job;

62. wherein said notification scripting device includes facilities for creating, editing, and selecting a notification script for a specific job. Williams teaches a notification scripting device configured to execute a notification script having instructions for notifying a user of status of a submitted job, (e.g. col. 6, lines 48 – 67);

63. wherein said notification scripting device includes facilities for creating, editing, and selecting a notification script for a specific job, (e.g. col. 7, lines 2 – 26). It would have been obvious to one skilled in the art at the time the invention was made to combine Williams with the combine system of Barroux and Cotichini because it would be more efficient if a user could monitor the job as it is being processed so to make any modification and/or aid in the detection of errors that could occur in the system.

64. As per claim 20, as closely interpreted by the Examiner, Barroux and Cotichini do not specifically teach a resource management device configured to enable a user to locate and view jobs and job runs. Williams teaches a resource management device configured to enable a user to locate and view jobs and job runs, (e.g. col. 8, lines 26 – 43). It would have been obvious to one skilled in the art at the time the invention was made to combine Williams with the combine system of Barroux and Cotichini because of similar reasons stated above.

Art Unit: 2143

65. As per claim 21, as closely interpreted by the Examiner, Barroux teaches said resource management device includes a GUI for defining an object representing a job,

66. having,

67. a general properties page having input fields for a label identifying the job, and a description of the job, (e.g. col. 7, lines 4 – 10 & Figures 6A – 6D), and

68. a repository page having a selection field for identifying a time zone for display of job times, (e.g. col. 7, lines 4 – 10 & Figures 6A – 6D). Barroux does not specifically teach a description properties page having a selection field for identifying an icon for representing the job. Williams teaches

69. a description properties page having a selection field for identifying an icon for representing the job, (e.g. col. 8, lines 26 – 43). It would have been obvious to one skilled in the art at the time the invention was made to combine Williams with the combination system of Barroux and Cotichini because it would be more convenient for a system to have an icon that a user could click on and have a GUI appear with information about a specific job.

70. As per claim 28, as closely interpreted by the Examiner, Barroux and Cotichini do not specifically teach utilizing a job data management device for, retrieving status messages regarding each job sent from each enterprise scheduling agent of a selected node of said job, and

71. updating said job history repository based on said status messages. Williams teaches utilizing a job data management device for, retrieving status messages regarding each job sent from each enterprise scheduling agent of a selected node of said job, and

Art Unit: 2143

72. updating said job history repository based on said status messages, (e.g. col. 3, lines 30 – 35 & col. 4, lines 30 – 59). It would have been obvious to one skilled in the art at the time the invention was made to combine Williams with the combine system of Barroux and Cotichini because for similar reasons as stated above.

73. As per claim 29, as closely interpreted by the Examiner, Barroux teaches maintaining a local job repositories, respectively on each of said nodes, each containing job and job history information for each job submitted to the respective node, (e.g. col. 11, lines 16 – 38).

74. As per claim 30, as closely interpreted by the Examiner, Barroux teaches synchronizing said job history repository with each local job repository, (e.g. col. 18, line 57 – col. 19, line 3).

75. As per claim 32, as closely interpreted by the Examiner, Barroux and Cotichini do not specifically teach packaging said job parameters in a

76. communication format; and

77. transmitting the packaged job parameters from a computing platform where said job parameters are determined to said enterprise scheduling agent maintained on the selected node.

Williams teaches packaging said job parameters in a

78. communication format, (e.g. col. 8, lines 26 – 43); and

79. transmitting the packaged job parameters from a computing platform where said job parameters are determined to said enterprise scheduling agent maintained on the selected node, (e.g. col. 7, lines 26 – 43). It would have been obvious to one skilled in the art at the time the

invention was made to combine Williams with the combine system of Barroux and Cotichini because it would be more convenient for a system to utilize a communication format that is standard for the internet and if a scheduling agent is on a different system it would be efficient for a system to be able to send the information the agent needs to accomplish its job.

80. As per claim 33, as closely interpreted by the Examiner, Barroux and Cotichini do not specifically teach setting up the selected node to run an application program identified by said job parameters;

81. executing said application program on the selected node; and

82. monitoring progress of said application being executed. Williams teaches setting up the selected node to run an application program identified by said job parameters, (e.g. col. 3, lines 3 – 35);

83. executing said application program on the selected node, (e.g. col. 3, lines 3 – 35); and

84. monitoring progress of said application being executed, (e.g. col. 4, line 30 – col. 5, line 9). It would have been obvious to one skilled in the art at the time the invention was made to combine Williams with the combine system of Barroux and Cotichini because it would be more efficient if the system could monitor activity on a node that is running a job so to examine any occurrences that could happen in a system and intervene and/or make record of if necessary.

85. As per claim 34, as closely interpreted by the Examiner, Barroux and Cotichini do not specifically teach accepting a command line for administration of a job submitted to at least one of said enterprise scheduling agents; and

Art Unit: 2143

86. communicating said command line to at least one of said enterprise scheduling agents for execution. Williams teaches accepting a command line for administration of a job submitted to at least one said enterprise scheduling agents, (e.g. col. 6, line 59 – col. 7, line 10); and

87. communicating said command line to at least one of said enterprise scheduling agents for execution, (e.g. col. 7, line 62 – col. 8, line 25). It would have been obvious to one skilled in the art at the time the invention was made to combine Williams with the combine system of Barroux and Cotichini because of similar reasons as stated above.

88. As per claim 35, as closely interpreted by the Examiner, Barroux and Cotichini do not specifically teach substituting context variables in said command line with data based on said context variable and the job to be administered; and

89. executing the command line. Williams teaches substituting context variables in said command line with data based on said context variable and the job to be administered, (e.g. col. 7, line 3 – col. 8, line 36); and

90. executing the command line, (e.g. col. 7, line 3 – col. 8, line 36). It would have been obvious to one skilled in the art at the time the invention was made to combine Williams with the combine system of Barroux and Cotichini because it would be more convenient if the system could substitute context variables and said command line with data based on said content variable so a user could utilize a spread sheet type outline of the variable for the jobs that are being processed.

91. Claims 10, 11 and 36 are rejected under 35 U.S.C. 103(a) as being unpatentable over Barroux and Cotichini as applied to claims 1 & 25, and in further view of Shroyer (6160988).

92. As per claim 10, as closely interpreted by the Examiner, Barroux and Cotichini do not specifically show the use of a point product device configured to provide a communication link between each enterprise scheduling agent and at least one product submitting jobs to said job scheduling device; wherein said point product device communicates job status, job logfile, setup, cancel, job parameter functions, and requests between each enterprise scheduling agent and said at least one product. Shroyer does teach the use of a point product device configured to provide a communication link between each enterprise scheduling agent and at least one product submitting jobs to said job scheduling device; wherein said point product device communicates job status, job logfile, setup, cancel, job parameter functions, and requests between each enterprise scheduling agent and said at least one product, (e.g. col. 18, lines 28 – 45). It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine Shroyer with the combine system of Barroux and Cotichini because the more parameters a job has to distinct itself the less likely a user will mistake it for a different job that has similar parameters. Also if a device or user needs to update a parameter, the device or user would want the parameters transferable to their node.

93. As per claim 11, as closely interpreted by the Examiner, Barroux teaches a job administration device configured to accept command line inputs and communicate said

command line inputs to at least one enterprise scheduling agent, (e.g. col. 18, line 40 – col. 19, line 3);

94. a job data management device configured to maintain job histories of jobs submitted to each enterprise scheduling agent, (e.g. col. 3, line 60 – col. 4, line 36); and

95. an enterprise communicator configured to send messages between at least one of said job scheduler, point product device, job administration device, and job data management device and each of said enterprise scheduling agents, (e.g. col. 14, lines 14 – 29).

96. As per claim 36, as closely interpreted by the Examiner, Barroux and Cotichini do not teach communicating data, including at least one of job status, job logfile, setup, cancel, job parameter functions, and requests for said data between a product and each enterprise scheduling agent. Shroyer teaches communicating data, including at least one of job status, job logfile, setup, cancel, job parameter functions, and requests for said data between a product and each enterprise scheduling agent, (e.g. col. 18, lines 28 – 45). It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine Shroyer and the combine system of Barroux and Cotichini because the user or a device that needs the parameters, would want them transferable to there node.

97. Claims 16 and 41 are rejected under 35 U.S.C. 103(a) as being unpatentable over Barroux and Cotichini as applied to claims 1 & 25, and in further view of Jerome et al. (6323882) (hereinafter Jerome).

Art Unit: 2143

98. As per claim 16, as closely interpreted by the Examiner, Barroux and Cotichini do not specifically teach a progress monitor configured to monitor and display execution of at least one of said jobs; wherein:

99. said progress monitor provides a visual display of, an identification of said job and a current phase of said job, a percentage complete of said job, and a percentage complete of said current phase. Jerome teach a progress monitor configured to monitor and display execution of at least one of said jobs; wherein:

100. said progress monitor provides a visual display of, an identification of said job and a current phase of said job, a percentage complete of said job, and a percentage complete of said current phase, (e.g. col. 10, line 51 – col. 11, line 15). It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine Jerome with the combine system of Barroux and Cotichini because it allows the users to have a more defined view of how the jobs are being operated on.

101. As per claim 41, as closely interpreted by the Examiner, Barroux and Cotichini do not teach providing a description of at least one of said jobs, including a written description, a label, and an icon selected to represent said job; and

102. identifying a time zone for display of job times. Jerome teaches providing a description of at least one of said jobs, including a written description, a label, and an icon selected to represent said job, (e.g. col. 9, lines 15 – 38); and

103. identifying a time zone for display of job times, (e.g. col. 9, lines 39 – 65). It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine

Jerome with the combine system of Barroux and Cotichini because it allows the users to have a more defined view of how the jobs are being operated on.

104. Claims 22, 42 and 43 are rejected under 35 U.S.C. 103(a) as being unpatentable over Barroux and Cotichini as applied to claims 1 & 25, and in further view of Bromley et al. (5819263) (hereinafter Bromley).

105. As per claim 22, as closely interpreted by the Examiner, Barroux and Cotichini do not teach objects defined by said resource management device comprise,

106. a hierarchy of folders including at least one of an all jabs folder, a jobs by group folder, a job by node folder, a jobs by product folder, a jobs by type folder, and a jobs by user folder. Bromley teaches objects defined by said resource management device comprise,

107. a hierarchy of folders including at least one of an all jabs folder, a jobs by group folder, a job by node folder, a jobs by product folder, a jobs by type folder, and a jobs by user folder, (e.g. col. 15, lines 30 – 47). It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine Bormley with the combine system of Barroux and Cotichini because it would keep all the information that needs to be saved in an organized manner.

108. As per claim 42, as closely interpreted by the Examiner, Barroux and Cotichini do not teach placing information about job times and status in an object containing folders, each folder identifying a categorization of jobs contained therein, including, an all jobs folder, a jobs by group folder, a jobs by node folder, a jobs by product folder, a jobs by type folder, and a jobs by

Art Unit: 2143

user folder. Bromley teaches placing information about job times and status in an object containing folders, each folder identifying a categorization of jobs contained therein, including, an all jobs folder, a jobs by group folder, a jobs by node folder, a jobs by product folder, a jobs by type folder, and a jobs by user folder, (e.g. col. 15, lines 30 – 47). It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine Bromley with the combine system of Barroux and Cotichini because it would keep all the information that needs to be saved in an organized manner.

109. As per claim 43, as closely interpreted by the Examiner, Barroux and Cotichini do not teach organizing said all jobs folder to maintain additional folders, including, at least one of, an all jobs any status folder listing jobs regardless of status and associated job history of each job,

110. an all runs by status folder listing jobs according to status, including completed runs, failed runs, not started runs, preempted runs, running runs, and stopped runs,

111. a held jobs folder listing jobs that are held and can be scheduled for a later time, and a scheduled jobs folder listing jobs that are scheduled to run. Bromley teaches organizing said all jobs folder to maintain additional folders, including, at least one of, an all jobs any status folder listing jobs regardless of status and associated job history of each job, (e.g. col. 15, lines 30 – 47),

112. an all runs by status folder listing jobs according to status, including completed runs, failed runs, not started runs, preempted runs, running runs, and stopped runs, (e.g. col. 16, lines 2 – 20),

113. a held jobs folder listing jobs that are held and can be scheduled for a later time, and a scheduled jobs folder listing jobs that are scheduled to run, (e.g. col. 16, lines 35 – 30). It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine Bromley with the combine system of Barroux and Cotichini because it would keep all the information that needs to be saved in an organized manner.

114. Claim 23 is rejected under 35 U.S.C. 103(a) as being unpatentable over Barroux, Cotichini and Bromley as applied to claims 1 & 20 – 22, and in further view of Russell et al. (5537550) (hereinafter Russell).

115. As per claim 23, as closely interpreted by the Examiner, Barroux, Cotichini and Bromley do not specifically teach said all jobs folder includes folders, including, an all jobs any status folder listing jobs regardless of status and associated job history of each job, an all runs by status folder listing jobs according to status,

116. including completed runs, failed runs, not started runs, preempted runs, running runs, and stopped runs, a held jobs folder listing jobs that are held and can be scheduled for a later time,

117. and a scheduled jobs folder listing jobs that are scheduled to run. Bromley and Russell teaches folders, including, an all jobs any status folder listing jobs regardless of status and associated job history of each job, an all runs by status folder listing jobs according to status, (e.g. Bromley, col. 15, lines 30 – 62),

118. including completed runs, failed runs, not started runs, preempted runs, running runs, and stopped runs, (e.g. Russell, col. 13, line 62 – col. 14, line 14),

119. a held jobs folder listing jobs that are held and can be scheduled for a later time, and a scheduled jobs folder listing jobs that are scheduled to run, (e.g. Bromley, col. 15, lines 30 – 62). It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine Russell with the combined system of Barroux, Cotichini and Bromley because of the visual convenience of seeing a folder with information as apposed to a database.

120. Claims 37 – 39 are rejected under 35 U.S.C. 103(a) as being unpatentable over Barroux and Cotichini as applied to claim 25, and in further view of Russell et al. (5537550).

121. As per claim 37, as closely interpreted by the Examiner, Barroux and Cotichini do not teach registering each enterprise scheduling agent at a node address that identifies the registered enterprise scheduling agent with a unique datagroup;

122. communicating jobs and job administration commands and requests with each enterprise scheduling agent via messages; and

123. encoding each message sent to a recipient enterprise scheduling agent with at least one destination corresponding to a datagroup that directs said message to the recipient enterprise scheduling agent. Russell teaches registering each enterprise scheduling agent at a node address that identifies the registered enterprise scheduling agent with a unique datagroup, (e.g. col. 13, line 62 – col. 14, line 14);

124. communicating jobs and job administration commands and requests with each enterprise scheduling agent via messages, (e.g. col. 10, lines 1 – 33); and

125. encoding each message sent to a recipient enterprise scheduling agent with at least one destination corresponding to a datagroup that directs said message to the recipient enterprise scheduling agent, (e.g. col. 28, lines 10 – 27). It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine Russell with the combine system of Barroux and Cotichini because it is more efficient to send specific messages or jobs to a specific group that deals with a specific job this would free up time and space for other messages or jobs to be processed on other nodes.

126. As per claim 38, as closely interpreted by the Examiner, Barroux and Cotichini do not teach retrieving auto login parameters from a user scheduling an auto login job; and

127. launching execution of said job utilizing said auto login parameters. Russell teaches retrieving auto login parameters from a user scheduling an auto login job, (e.g. col. 45, lines 10 – 27); and

128. launching execution of said job utilizing said auto login parameters, (e.g. col. 45, lines 10 – 27). It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine Russell with the combine system of Barroux and Cotichini because of the convenience of the user not having to login parameters manually.

129. As per claim 39, as closely interpreted by the Examiner, Barroux and Cotichini do not specifically teach retrieving a notification script for a job being submitted; and

Art Unit: 2143

130. executing the notification script on at least one of completion of said job and at a requested status point. Russell teaches retrieving a notification script for a job being submitted, (e.g. col. 6, lines 21 – 61); and

131. executing the notification script on at least one of completion of said job and at a requested status point, (e.g. col. 6, lines 21 – 61). It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine Russell with the combine system of Barroux and Cotichini because it is an efficient way for a user to acknowledge another job completion or status therefore, allowing a user to assign another specific job to the same node or group.

Response to Arguments

132. Applicant's arguments filed 03/25/2005 have been fully considered but they are not persuasive.

133. In the Remarks, Applicant argues in substance that Barroux is not understood to teach or suggest a device for scheduling jobs to run on nodes comprising an enterprise scheduling agent installed on each node and configured to launch execution of jobs submitted to the enterprise scheduling agent.

134. As to part 1, Examiner would like to draw the Applicant's attention to the above Remark, this is not what is specifically claimed in the application, it is one interpretation. Examiner would like to state what is actually claimed in the application, "a job scheduling device for scheduling

Art Unit: 2143

jobs to run on at least one node of at least one computing platform, comprising: an enterprise scheduling agent installed on each node and configured to launch execution of jobs submitted to the enterprise scheduling agent". The claim language can be interpreted as more than one node having an enterprise scheduling agent installed on each node or the claim language can be interpreted as One node having an enterprise scheduling agent installed on it and configured to launch execution of jobs submitted to the enterprise scheduling agent. With this brought to the Examiner's attention Barroux in combination with Cotichini does teach the claim language as interpreted as One node. Furthermore, Applicant does not distinguish as to what node is having an enterprise scheduling agent installed on itself nor does the Applicant distinguish if this is happening over a network or all actions are happening internally in said node in claim 1.

Furthermore, Barroux teaches multiple probes that can be interpreted as agents that reside on a node, (e.g., col. 5, lines 57 – 67).

135. When reviewing a reference the applicants should remember that not only the specific teachings of a reference but also reasonable inferences which the artisan would have logically drawn therefrom may be properly evaluated in formulating a rejection. *In re Preda*, 401 F. 2d 825, 159 USPQ 342 (CCPA 1968) and *In re Shepard*, 319 F. 2d 194, 138 USPQ 148 (CCPA 1963). Skill in the art is presumed. *In re Sovish*, 769 F. 2d 738, 226 USPQ 771 (Fed. Cir. 1985). Furthermore, artisans must be presumed to know something about the art apart from what the references disclose. *In re Jacoby*, 309 F. 2d 513, 135 USPQ 317 (CCPA 1962). The conclusion of obviousness may be made from common knowledge and common sense of a person of ordinary skill in the art without any specific hint or suggestion in a particular reference. *In re Bozek*, 416 F.2d 1385, 163 USPQ 545 (CCPA 1969). Every reference relies to some extent on

Art Unit: 2143

knowledge of persons skilled in the art to complement that which is disclosed therein. In re Bode, 550 F. 2d 656, 193 USPQ 12 (CCPA 1977).

136. Independent claims 25, 45, 46, 49 and 50 can also be viewed in light of the above reasoning and is therefore still rejected.

Conclusion

137. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a):

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to David E. England whose telephone number is 571-272-3912. The examiner can normally be reached on Mon-Thur, 7:00-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David A. Wiley can be reached on 571-272-3923. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

David E. England
Examiner
Art Unit 2143

De



DAVID WILEY
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100